



Crl.O.P.No.28113 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 26.02.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Crl.O.P.No.28113 of 2023**

**and**

**Crl.M.P.Nos.19504 and 19505 of 2023**

1. John Wesly  
S/o. John Jacob

2. John Jacob  
S/o. Sankaralingam

3. Thangaleela  
W/o. John Jacob

... Petitioners

**Vs.**

1. The State,  
Represented by its  
The Inspector of Police,  
W-35, All Women Police Station,  
Tambaram, St. Thomas Mount,  
Chennai District.  
Crime No.07 of 2017

2. Meega  
D/o. Tamilselvan

... Respondents



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**PRAYER :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to call for the records pertaining to the charge sheet C.C.No.0300021 of 2018 on the file of the learned Judicial Magistrate - I, Tambaram, Kancheepuram District and quash the same.

For Petitioners : Mr.R.Naresh Kumar  
For Respondents : Mr.A.Gopinath  
Govt. Advocate (Crl.Side) for R1

### **ORDER**

This petition has been filed seeking to quash the proceedings in C.C.No.0300021 of 2018 on the file of learned Judicial Magistrate - I, Tambaram, Kancheepuram District on the ground of compromise between the parties.

2. When the matter came up during the earlier occasion, it was informed by the learned counsel for the petitioners that the matter has been compromised amicably between the parties. The learned counsel for the petitioners also relied upon the compromise memo that was filed before the learned III Additional District Judge, Tirunelveli in D.O.P.No.30 of 2018 and the final judgment that was passed in that case on 07.10.2021 dissolving the marriage.



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3. The second respondent who was present before this Court stated that in view of the compromise between the parties and in view of the fact that the marriage itself has been dissolved, she is no longer interested in prosecuting the case. The first petitioner was also present at the time of hearing.

4. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @**



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***Parbathbhai Vs. State of Gujrath)*** and after exercising due caution as advised by the Hon'ble Supreme Court in ***The State of Madhya Pradesh v. Dhruv Gurjar and Another*** reported in ***(2019) 2 MLJ Crl 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.0300021 of 2018 pending on the file of the learned Judicial Magistrate - I, Tambaram, Kancheepuram District.

7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.0300021 of 2018 pending on the file of learned Judicial Magistrate - I, Tamabaram, Kancheepuram District, is quashed. Consequently, connected miscellaneous petitions are closed.

**26.02.2024**

NCC: Yes / No  
Index : Yes / No  
Speaking Order : Yes / No

vji



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To

1. The Inspector of Police,  
W-35, All Women Police Station,  
Tambaram, St.Thomas Mount,  
Chennai District.  
Crime No.07 of 2017
2. The learned Judicial Magistrate -I,  
Tambaram,  
Kancheepuram District.
3. The Public Prosecutor,  
High Court,  
Madras.



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**N.ANAND VENKATESH, J.**

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**26.02.2024**